

QUESTIONS FOR DAVID KESSLER

1. Dr. Kessler, I understand that 10 representatives of your agency, at the invitation of Philip Morris, visited the Company's Richmond facilities earlier this week so that the FDA could observe firsthand how cigarettes are processed and manufactured. During this tour, your staff learned that the use of reconstituted tobacco in the ultimate tobacco blend does not serve to introduce nicotine to the cigarettes above that which occurs naturally in the tobacco. Indeed, they learned that this process actually reduces nicotine levels anywhere from 20 to 25 percent, as compared to the starting raw tobacco. Is that correct?

2. Your staff also discovered that cigarette companies' use of denatured alcohol results in an infinitesimal amount of nicotine in the finished product, that the use of nicotine sulfate to denature the alcohol is a formula dictated by the BATF, and that the companies report their use of this alcohol to the federal government annually, is that correct?

I have an excerpt from the C.F.R. that sets forth the formula that tobacco companies must use. (Provide 27 C.F.R. § 21.38). I request that this excerpt be inserted into the record, Mr. Chairman. I also have a copy of the BATF form that the companies are required to complete regarding their use of denatured alcohol, which I'd also like to be inserted into the record.

3. Do you also now understand that the processes used by Philip Morris ultimately result in less nicotine in the finished cigarette, as compared to the raw tobacco with which the Company starts?

4. So, the notion that companies "commonly add nicotine to cigarettes to deliver specific amounts of nicotine" is unfounded, isn't it?

5. Your staff did not observe any nicotine "spiking" --i.e., adding nicotine not derived from the starting raw tobacco materials -- at the Philip Morris facilities, did they?

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